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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/740,487	12/19/2000	Michelle Q. Wang Baldonado	D/99342	3504

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EXAMINER	
ZHEN, LI B	
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2194	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/740,487	WANG BALDONADO ET AL.	
	Examiner	Art Unit	
	Li B. Zhen	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 December 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,4-7,11,13,17,20-23,27,28 and 36-39* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,4-7,11,13,17,20-23,27,28 and 36-39* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1, 4-7, 11, 13, 17, 20-23, 27, 28 and 36-39 are pending in the application.

Response to Arguments

2. Applicant's arguments filed 12/20/2007 have been fully considered but they are not persuasive. In response to the Non-Final Office Action dated 9/20/2007, applicant argues:

(1) Claim 1 requires that the procedural part can specify additional steps that must be completed after the procedural part completes. Kim, on the other hand, discloses that the parent process activates a child process, but the workflow returns to the parent process after the child process completes. In Kim, the child process must be completed before the parent process completes. Thus, Kim does not disclose that the procedural part can specify additional steps that must be completed after the procedural part has completed before a particular task is considered to have completed, as required by claim 1 [p. 9, lines 3 – 13 and p. 11, lines 4 – 11];

(2) Claim 1 defines that the batch job tasks are to be executed separately and in parallel. However, Kim does not teach or suggest that the logical order of activities can be in parallel. Each discussion involving activities in Kim discusses a serial order. Thus, the scheduling of activities in a logical order, as disclosed in Kim, is not the same as scheduling a plurality of tasks to be executed, separately and in parallel, as required by claim 1 [p. 9, line 25 – p. 10, line 2]; and

(3) The combination of Cloud and Kim does not teach a unique address which identifies a session between the service provider and the remote platform, as required by claim 11 [p. 10, lines 12 – 25 and p. 11, lines 13 – 22].

As to argument (1), examiner respectfully disagrees and submits that the child process is not required to complete before the parent process completes. Kim discloses that a child sub-process can be executed in an asynchronous manner [p. 8, paragraph 0172]. Under the asynchronous option, the parent process continues the activities following the sub-process activity, without waiting for the completion of the child process [p. 8, paragraph 0173]. Therefore, the parent process can finish executing before the child sub-process finishes. For example, parent process 1 continues to execute activity 5 and finish executing while child sub-process 2 executes activities 1 and 2 [see Fig. 13]. Therefore, the combination of Cloud and Kim teaches additional steps that must be completed after the procedural part completes.

As to argument (2), examiner disagrees and submits that the parent and child process executes separately and in parallel when the child sub-process is executed in an asynchronous manner. Under the asynchronous option, the parent process exchanges information with the child process [p. 8, paragraph 0173]. In order for the parent process to exchange information with the child process, the parent process and the child process have to be executing in parallel. In addition, Kim discloses that the parent process continues the activities following the sub-process activity, without waiting

for the completion of the child process [p. 8, paragraph 0173]. Since the parent process continues to execute without waiting for the child sub-process, the two processes execute separately. Therefore, the combination of Cloud and Kim teaches scheduling a plurality of tasks to be executed, separately and in parallel.

As to argument (3), examiner disagrees and notes that Cloud discloses a common message header that corresponds to the recited unique address identifier. The message header identifies the source and destination of the message [col. 4, line 60 – col. 5, line 8 of Cloud] and is carried in all required Request and Reply Message exchanges associated with the request or the logical session [col. 11, lines 57 – 67]. The common message header includes a source and destination (i.e. service provider and remote platform) and uniquely identifies the logical session between the source and destination. Therefore, the combination of Cloud and Kim teaches a unique address which identifies a session between the service provider and the remote platform.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claims 1, 4-7, 11, 13, 17, 20-23, 27, 28 and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,253,369 to Cloud et al. [hereinafter Cloud] in view of U.S. Patent Application Publication No. 2002/0065701 to Kim et al. [hereinafter Kim], both references previously cited.**

6. As to claim 1, Cloud teaches the invention substantially as claimed including a method for preparing a job for execution by a batch job execution system [batch work flow object generation process; col. 18, lines 51 – 58] in parallel [one or more units of work that may be dispatched to execute substantially concurrently; col. 10, lines 5 – 13], comprising:

receiving a job from an external source [Receives or retrieves request messages, depending on task initiation; col. 8, lines 42 – 47], wherein the job includes at least one task [decompose the message received and invoke several tasks; col. 11, lines 29 – 42];

selecting a program, subsequent to receiving the job [workflow object which can be selectively incorporated in workflows to satisfy a request from a client; col. 6, lines 30

– 49], which includes a declarative part [work flow object definition; col. 18, lines 51 – 58] and a procedural part [source code skeleton consistent with its particular function which is used as the infrastructure for creation of object source code; col. 18, lines 8 – 21];

preparing a batch job by associating the selected program with the job [workflow Manager will associate the Request with a workflow; col. 12, lines 3 – 17]; and

transmitting the batch job toward the batch job execution system [individual requests which make up the profile of the request from the client are then processed by the work flow manager environment where they are individually packaged for sending to the back-end servers; col. 13, lines 40 – 60];

wherein the declarative part identifies data dependencies between individual tasks [col. 10, lines 5 – 13], and further includes a description of work to be performed [col. 18, lines 50 – 60], references to resources needed to perform particular tasks [map storage areas to data elements and structures (principally in the session control block), for uses by work flows; col. 14, lines 50 – 60], and delegations of authority to access the resources and perform operations [data definition capabilities over the user accessible item areas; col. 11, lines 5 – 18];

wherein the procedural part contains logic enabling the batch job execution system to perform execution of individual tasks separately [source code skeleton consistent with its particular function which is used as the infrastructure for creation of object source code; col. 18, lines 8 – 21], in parallel [col. 10, lines 5 – 13]; and

wherein the procedural part does not know about the scheduling contained in the declarative part [To complete a complex unit of work, the work flow will decompose the message received and invoke several tasks to independently retrieve information from whatever different sources are necessary; col. 11, lines 29 – 42]. Although Cloud teaches the invention substantially, Cloud does not specifically teach specifying additional steps that must be completed after the procedural part completes before a particular task is considered to have completed and the declarative part scheduling a plurality of tasks to be performed.

However, Kim teaches a job execution managing apparatus [workflow management system; p. 5, paragraph 0088], receiving a job request [p. 4, paragraph 0070], preparing job information [p. 3, paragraph 0068], specifying additional steps [When the workflow in the business process reaches the sub -process activity, it activates the child process; p. 8, paragraph 0167 and paragraph 0172] that must be completed after the procedural part completes before a particular task is considered to have completed [Under the asynchronous option, the child process starts its execution, when the workflow of the parent process reaches the sub-process activity. Unlike the synchronous option, the parent process continues the activities following the sub-process activity, without waiting for the completion of the child process; p. 8, paragraph 0173], a declarative part of an application that schedules a plurality of tasks to be performed [p. 6, paragraph 0115 and p. 9, paragraph 0193], and a procedural part of an application that contains logic enabling the batch job execution system to perform

execution of individual tasks separately [Each process can be independently designed and implemented; p. 8, paragraph 0167].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Cloud to incorporate the features of specifying additional steps that must be completed after the procedural part completes before a particular task is considered to have completed and the declarative part scheduling a plurality of tasks to be performed. One would have been motivated to make the combination because this provides a system and method that can automate the business procedures and as well as that can be adapted for almost all the business environments [p. 1, paragraph 0007 of Kim] and enables separate and complex activities to be bundled and be represented as one activity to simplify the process model [p. 5-6, paragraph 0107 of Kim].

7. As to claim 11, Cloud as modified teaches a method for preparing and executing a task of a batch job by a batch job execution system [batch work flow object generation process; col. 18, lines 51 – 58 of Cloud], comprising the steps of:

receiving the task of the batch job which is to be executed by a service provider [Receives or retrieves request messages, depending on task initiation; col. 8, lines 42 – 47 of Cloud];

making a call to start a session with a remote platform, in response to receiving the task [Establishing a session control block, an internal application program interface

memory management area used by the workflow manager during execution of the request's workflow; col. 8, lines 10 – 20 of Cloud];

making a call to put, subsequent to making a call to start a session, which transfers at least a portion of the information in the task to be executed to the remote platform [sending to the host; col. 20, line 55 – col. 21, line 5 of Cloud];

making a call to convert, subsequent to making a call to put, which instructs the remote platform to perform a function on the information transferred to the remote platform [files are referenced during the batch work flow object generation process in which the parameters are converted into CICS command level source code, then compiled and linked into an executable module; col. 18, lines 50 – 58 of Cloud];

making a call to get, subsequent to making a call to convert which retrieves the converted information from the remote platform [pp. 3 – 4, paragraph 0069 of Kim and col. 11, lines 29 – 42 of Cloud];

repeating each step of making a call to put, convert and get until the task is completed [col. 14, lines 28 – 50 of Cloud]; and,

making a call to end the session with the remote platform [Terminates and archives a logical session and, upon signoff, deletes the session control block; col. 8, lines 10 – 24 of Cloud];

wherein each of the above steps are performed by the service provider [server 1050; col. 16, lines 1 – 22 of Cloud]; and

wherein the step of making a call to start a session further comprises creating a unique address which identifies the session [common message header labels all

message traffic to and from the Client. It uniquely identifies the requesting Client and associates the unit of work requested with that Client; col. 11, lines 57 – 65 of Cloud] between the service provider and the remote platform [Message Header identifying source and destination of the message; col. 4, line 60 – col. 5, line 8 of Cloud]; and

the step of making a call to end the session terminates the unique address [Terminates and archives a logical session and, upon signoff, deletes the session control block; col. 8, lines 10 – 24 of Cloud].

8. As to claim 17, Cloud as modified teaches an apparatus for preparing a job for execution by a batch job execution system [batch work flow object generation process; col. 18, lines 51 – 58 of Cloud] in parallel [col. 10, lines 5 – 13 of Cloud], comprising:

a client, which is capable of receiving a job from an external source [Receives or retrieves request messages, depending on task initiation; col. 8, lines 42 – 47 of Cloud], wherein the job includes a plurality of tasks [decompose the message received and invoke several tasks; col. 11, lines 29 – 42 of Cloud], wherein the client is for:

selecting a program [workflow object which can be selectively incorporated in workflows to satisfy a request from a client; col. 6, lines 30 – 49 of Cloud] which comprises a declarative part [work flow object definition; col. 18, lines 51 – 58 of Cloud] and a procedural part [source code skeleton consistent with its particular function which is used as the infrastructure for creation of object source code; col. 18, lines 8 – 21 of Cloud], wherein the program may be used in executing the job;

preparing a batch job by associating the selected program with the job [workflow Manager will associate the Request with a workflow; col. 12, lines 3 – 17 of Cloud]; and

transmitting the batch job toward the batch job execution system [individual requests which make up the profile of the request from the client are then processed by the work flow manager environment where they are individually packaged for sending to the back-end servers; col. 13, lines 40 – 60 of Cloud];

wherein the declarative part schedules a plurality of tasks to be performed [p. 6, paragraph 0115 and p. 9, paragraph 0193 of Kim], identifies data dependencies between individual tasks [col. 10, lines 5 – 13 of Cloud], and further includes a description of work to be performed [col. 18, lines 50 – 60 of Cloud], references to resources needed to perform particular tasks [map storage areas to data elements and structures (principally in the session control block), for uses by work flows; col. 14, lines 50 – 60 of Cloud], and delegations of authority to access the resources and perform operations [data definition capabilities over the user accessible item areas; col. 11, lines 5 – 18 of Cloud];

wherein the procedural part contains logic enabling the batch job execution system to perform execution of individual tasks separately [source code skeleton consistent with its particular function which is used as the infrastructure for creation of object source code; col. 18, lines 8 – 21 of Cloud], in parallel [col. 10, lines 5 – 13 of Cloud]; and

wherein the procedural part does not know about the scheduling contained in the declarative part [To complete a complex unit of work, the work flow will decompose the

message received and invoke several tasks to independently retrieve information from whatever different sources are necessary; col. 11, lines 29 – 42 of Cloud], but can specify additional steps that must be completed after the procedural part completes [p. 8, paragraph 0173 of Kim] before a particular task is considered to have completed [Work flows contain executable objects that together fulfill the requirements of a request; col. 10, line 65 – col. 11, line 6 of Cloud].

9. As to claim 4, Cloud teaches the program is selected from a plurality of programs stored in a library, wherein the programs are capable of being executed by the batch job execution system [col. 6, lines 30 – 49].

10. As to claim 5, Cloud teaches receiving a signal from the external source designating the program to be selected [col. 14, lines 28 – 50].

11. As to claim 6, Cloud as modified teaches receiving a first signal from the external source, which identifies the input type of information included in the job [p. 5, paragraph 0099 of Kim];

receiving a second signal from the external source, which identifies the desired output type of information to be obtained when the job has been executed [p. 6, paragraph 0123 of Kim]; and

wherein the step of selecting a program is in response to receiving the first and second signal [p. 2, paragraph 0041 of Kim].

12. As to claim 7, Cloud as modified teaches determining the input type information included in the received job [p. 5, paragraph 0099 of Kim];

receiving a signal from the external source, which identifies the desired output to be obtained when the job has been executed [p. 6, paragraph 0123 of Kim]; and

wherein the step of selecting a program is in response to the steps of determining and receiving [p. 2, paragraph 0041 of Kim].

13. As to claim 13, Cloud as modified teaches the remote platform is operating on a machine running on a first operating system [p. 2, paragraph 0036 of Kim]; and the service provider is operating on a machine running on a second operating system [col. 1, lines 53 – 64 of Cloud].

14. As to claim 36, Cloud teaches the job is a document conversion job [col. 18, lines 51 – 58].

15. As to claim 37, Cloud teaches one or more tasks are performed by one or more services offered by one or more service providers [col. 9, lines 54 – 65].

16. As to claims 20 – 21, these are rejected for the same reasons as claim 4 – 5 above.

17. As to claims 22 and 23, these are rejected for the same reasons as claims 6 and 7 above.

18. As to claims 27 and 28, these are rejected for the same reasons as claims 11 and 13 above.

19. As to claims 38 and 39, these are rejected for the same reasons as claims 36 and 37 above.

Conclusion

20. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

CONTACT INFORMATION

21. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Li B. Zhen
Primary Examiner
Art Unit 2194

/Li B. Zhen/
Primary Examiner, Art Unit 2194

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	09/740,487	WANG BALDONADO ET AL.	
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